

Notice of Allowability

Application No.

10/670,539

Examiner

Linda L Gray

Applicant(s)

KISSELL ET AL.

Art Unit

1734

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to papers filed 2-22-05.
2. ☒ The allowed claim(s) is/are 1-25.
3. ☒ The drawings filed on 25 September 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date ***.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Reasons for Allowance

- 1.** The following is an examiner's statement of reasons for allowance:

for **claims 1, 13, and 23-25**: the prior art of record to Fay and Cameron et al. do not teach that the fiberglass insulation passed through the cutter is a stream of uncured fiberglass insulation where the passing through the oven step produces a cured fiberglass insulation batt in that in both Fay and Cameron et al. the fiberglass insulations are cured before being passed through the cutter, also

Cole teaches a method of producing fiberglass insulation batt 29 including passing stream 12 of uncured fiberglass insulation through cutter 13/14 to cut insulation 12 to form two side-by-side separate strips 22, and passing strips 22 through a curing oven to expose strips 22 to a predetermined fiberglass curing heat generated in the oven to cause binder associated within, and with the opposed longitudinally extending side walls of strips 22 to polymerized (c 4, L 12-72; c 5, L 46-47 and L 54-57; c 5, L 74, to c 6, L 2; c 6, L 12-14, L43-48); Cole teaches strips 22 to be separated by a gap (Fig 2); however, Cole does not teach forming a frangible bridge which spans the gap between strips 22 to produce batt 29 in that Cole teaches eliminating the gap so that the walls of strips 22 are engaged together to form an integral coherent sheet before curing (c 1-2, step e; c 2, step g), and

for **claims 14, 15, 16, and 18**, see the prior Office action mailed 11-30-04.

- 2.** Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Prior Art of Record

- 3.** The following prior art is made of record: **(a)** Lostak et al., Jones et al., and Patel et al. (US 6,191,057) teach cutting a cured fiberglass batt longitudinally after curing, **(b)** de Antonis et al. teach compacting a fiberglass batt before curing, **(c)** Weinstein et al. use fluid pressure to increase gap size, and **(d)** Patel et al. (US 6,457,504) and Sens both teach compacting a fiberglass batt and applying covers thereto.

Conclusion

- 4.** Any inquiry concerning this communication or earlier communications from the examiner should be directed to Linda Gray whose telephone number is (571) 272-1228. The examiner can normally be reached Monday-Friday from 9:00 am to 5:00 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Fiorilla, can be reached at (571) 272-1187. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

llg

March 18, 2005

Linda L. Gray
LINDA GRAY
PRIMARY EXAMINER